

Page 1



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

MAILED

APR 07 2008

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Nikolaos C. George
JONES DAY
222 E. 41st Street
New York, NY 10017

Appeal No: 2008-1363
Appellant: BaoFu Ni et al.
Application No: 10/071,962
Hearing Room: B
Hearing Docket: A
Hearing Date: Thursday, May 15, 2008
Hearing Time: 09:00 AM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

1279-127-999
Notice of Hearings
4-28-08

NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED (X) HEARING ATTENDANCE WAIVED

Nikolaos C. George

April 16, 2008 39,201

Signature of Attorney/Agent/Appellant

By: Eric G. Lee (Reg. No. 59,746)

Date

Registration No.

Names of other visitors expected to accompany counsel

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/web/offices/dcom/pcounsel/contact.htm#bpa>

Apr-16-08

17:32

From-7145

912127557306

T-241

P.001/005

F-722



Facsimile Transmission

222 East 41st Street • New York, New York 10017 • (212) 326-3939

Facsimile: (212) 755-7306

elee@jonesday.com

April 16, 2008

Please hand deliver the following facsimile to:

Name: **BPAI HEARINGS**

Facsimile No.: **(571) 273-0299**

Company: **Board of Patent Appeals and Interferences**

Number of pages (including this page): **5**

Telephone No.:

From: **Eric G. Lee**

Send Copies To:

Direct Telephone No.: **(212) 326-3499**

JP No.: **JP008987**

☐ Copies distributed

Operator's initials

CAM No.: **403545-999127**

Re: **Waiver of Hearing of Appeal No. 2008-1363 and Express Abandonment of Application
U.S. Patent Application No. 10/071,962
For: G-CSF RECEPTOR AGONIST ANTIBODIES AND SCREENING METHOD
THEREFOR
Filed: February 8, 2002**

NOTICE: This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone at the direct telephone number noted above.

Message:

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

NYI-4080372v1

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG • HOUSTON
IRVINE • LONDON • LOS ANGELES • MADRID • MILAN • MOSCOW • MUNICH • NEW DELHI • NEW YORK • PARIS • PITTSBURGH
SAN DIEGO • SAN FRANCISCO • SHANGHAI • SILICON VALLEY • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Ni <i>et al.</i>	Confirmation No.:	2802
Serial No.:	10/071,962	Art Unit:	1647
Filed:	February 8, 2002	Examiner:	Spector, Lorraine
For:	G-CSF RECEPTOR AGONIST ANTIBODIES AND SCREENING METHOD THEREFOR	Attorney Docket No.:	12279-127-999
		CAM No.:	403545-999127

**TRANSMITTAL OF WAIVER OF HEARING AND COURTESY COPY OF
EXPRESS ABANDONMENT UNDER 37 C.F.R. § 1.138 AS FILED**

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Concerning Appeal No. 2008-1363, enclosed please find a waiver of the hearing set for the above-identified patent application. Additionally, please find a courtesy copy of an Express Abandonment Under 37 C.F.R. § 1.138, which was electronically filed earlier today, April 16, 2008, requesting that the above-identified patent application be expressly abandoned as of the filing date of that paper.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on April 16, 2008 to facsimile telephone number (571) 273-8300 and (571) 273-0299.

Eric G. Lee

59,746

(Reg. No.)

NYI-1080315v2

No fee is believed to be due. Should any fee be required, please charge such fee to
Jones Day Deposit Account No. 50-3013

Date: April 16, 2008

Respectfully submitted,


Nikolaps C. George

39,201
(Reg. No.)

By: Eric G. Lee

JONES DAY

222 East 41st Street

New York, New York 10017-6702

(212) 326-3939

59,746
(Reg. No.)